

**U.S. Department of Homeland Security**  
U.S. Citizenship and Immigration Services  
*National Records Center*  
P.O. Box 648010  
Lee's Summit, MO 64064-8010



**U.S. Citizenship  
and Immigration  
Services**

COW2019500197

August 20, 2019

Taylor-Scott Amarel  
MuckRock News  
DEPT MR 72018  
411A Highland Ave  
Somerville, MA 02144-2516

Dear Taylor-Scott Amarel:

We received your request for information relating to USCIS Office of Investigations review and investigations of EB-5 cases and EB-5 regional centers.

You specifically requested the following records:

According to the article, [https://www.washingtontimes.com/news/2018/jul/9/uscis-creates-new-investigative-office-police-misc.](https://www.washingtontimes.com/news/2018/jul/9/uscis-creates-new-investigative-office-police-misc/), a USCIS "Office of Investigations" was created. I would like to obtain any records regarding this office's investigations of EB-5 related cases. Including but not limited to, emails, memos, policies, priority cases or statistics such as the number of EB-5 cases being reviewed by this office, any documents detailing the possibility of EB-5 regional centers being used as an avenue for foreign agents to come to the US, or similar documents.

Your request was received in this office April 26, 2019. We may need to contact you at a later date to discuss the scope of your request.

Your request is being handled under the provisions of the Freedom of Information Act (5 U.S.C. § 552). It has been assigned the following control number: COW2019500197. Please cite this number in all future correspondence about your request.

We respond to requests on a first-in, first-out basis and on a multi-track system. Your request has been placed in the complex track (Track 2).

In your request, you seek a fee waiver. Under the Freedom of Information Act's (FOIA) fee waiver standard, 5 U.S.C § 552 (a)(4)(iii), two requirements must be met prior to a grant of a fee waiver. As stated, documents shall be furnished without any charge or at a charge reduced below the fees established, where the requester has demonstrated that:

- (i) disclosure is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government; and
- (ii) disclosure is not primarily in the commercial interest of the requester.

Since you have not met the necessary requirements for a fee waiver, we are denying your fee waiver request.

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact our FOIA Public Liaison, Jill Eggleston, for assistance at:

U.S. Citizenship and Immigration Services  
National Records Center, FOIA/PA Office  
P.O. Box 648010

Lee's Summit, MO 64064-8010

Telephone: (800) 375-5283

E-Mail: [FOIAPAQuestions@uscis.dhs.gov](mailto:FOIAPAQuestions@uscis.dhs.gov)

A FOIA Public Liaison is an agency official to whom FOIA requesters can raise concerns about the service the requester has received from the agency's FOIA Office. FOIA Public Liaisons are responsible for assisting in reducing delays, increasing transparency and understanding of the status of requests, and assisting in the resolution of disputes.

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal Agencies. The OGIS does not have the authority to handle requests made under the Privacy Act of 1974. The contact information for OGIS is:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road - OGIS  
College Park, MD 20740-6001  
Telephone: (202) 741-5770 or (877) 684-6448  
Email: [OGIS@nara.gov](mailto:OGIS@nara.gov)  
Website: [ogis.archives.gov](http://ogis.archives.gov)

Consistent with 6 C.F.R. § 5.5(a) of the Department of Homeland Security (DHS) FOIA regulations, USCIS processes FOIA requests according to their order of receipt. Although USCIS' goal is to respond within 20 business days of receipt of your request, FOIA does permit a 10-day extension of this time period in certain circumstances. Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Additionally, due to the scope and nature of your request, USCIS will need to locate, compile, and review responsive records from multiple offices, both at headquarters and in the field. USCIS may also need to consult with another agency or other component of the Department of Homeland Security that have a substantial interest in the responsive information. Due to these unusual circumstances, USCIS will invoke a 10-day extension for your request pursuant to 5 U.S.C. § 552(a)(6)(B). Please contact our office if you would like to limit the scope of your request or to agree on a different timetable for the processing of your request. We will make every effort to comply with your request in a timely manner.

In accordance with Department of Homeland Security Regulations (6 C.F.R. § 5.3(c)), your request is deemed to constitute an agreement to pay any fees that may be chargeable up to \$25.00. Fees may be charged for searching for records sought at the respective clerical, professional, and/or managerial rates of \$4.00/\$7.00/\$10.25 per quarter hour, and for duplication of copies at the rate of \$.10 per copy. The first 100 copies and two hours of search time are not charged, and the remaining combined charges for search and duplication must exceed \$14.00 before we will charge you any fees. Most requests do not require any fees; however, if fees in excess of \$25.00 are required, we will notify you beforehand.

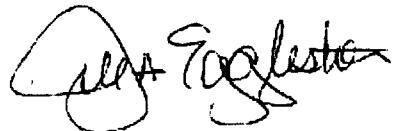
This office now offers an online delivery option. If you would like to receive the requested records online, you will need to register this request at [first.uscis.gov](http://first.uscis.gov). If you do not already have a MyUSCIS account you will be prompted to create one. Once logged on, click the "Register Request" link where you will be asked to enter your control number COW2019500197 and the following six digit PIN: 855106. If you do not wish to take advantage of this option, we will be providing your records on a Compact Disc (CD) for use on your personal computer. To request your responsive records on paper, please include your control number and write to the above address Attention: FOIA/PA Officer, or fax them to (802) 860-6908.

The National Records Center (NRC) has the responsibility to ensure that personally identifiable information (PII) pertaining to U.S. Citizenship and Immigration Services (USCIS) clients is protected. In our efforts to safeguard this information, we may request that additional information be provided to facilitate and correctly identify records responsive to your request. Though submission of this information is voluntary, without this information, your request may be delayed while additional steps are taken to ensure the correct responsive records are located and processed. Further, if we are unable to positively identify the subject of the record we may be unable to provide records responsive to your FOIA request.

You may check the status of your FOIA request online at [www.uscis.gov/FOIA](http://www.uscis.gov/FOIA). Click the "Check Status of Request" button in the middle of the web page or "FOIA Request Status Check & Average Processing Times" on the left side under "Freedom of Information and Privacy Act (FOIA)." Then click "FOIA Check Status of Request" at the bottom of the page and follow the instructions given. If you have any questions concerning your pending FOIA/PA request, or to check the status of a pending application or petition, please call The National Customer Service Center at (800) 375-5283. Please be aware that the National Records Center no longer accepts FOIA/PA related questions directly by phone.

All FOIA/PA related requests, including address changes, must be submitted in writing and be signed by the requester. Please include the Control Number listed above on all correspondence with this office. Requests may be mailed to the FOIA/PA Officer at the PO Box listed at the top of the letterhead, emailed to [USCIS.FOIA@uscis.dhs.gov](mailto:USCIS.FOIA@uscis.dhs.gov), or sent by fax to (802) 860-6908. You may also submit FOIA/PA related questions to our email address at [FOIAPAQuestions@uscis.dhs.gov](mailto:FOIAPAQuestions@uscis.dhs.gov).

Sincerely,



Jill A. Eggleston  
Director, FOIA Operations